



March 16, 2007

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## ENGROSSED HOUSE BILL No. 1434

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DIGEST OF HB 1434 (Updated March 14, 2007 2:20 pm - DI 87)

**Citations Affected:** IC 5-2.

**Synopsis:** Drug free communities fund. Requires a county fiscal body to allocate 25% of the money in the county drug free community fund to persons, organizations, agencies, and political subdivisions to provide services and activities based on the comprehensive drug free communities plan submitted by the local coordinating council and approved by the commission for a drug free Indiana.

**Effective:** July 1, 2007.

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**Candelaria Reardon,  
Stevenson, Borders**

(SENATE SPONSORS — LANDSKE, ROGERS, MRVAN)

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January 26, 2007, read first time and referred to Committee on Local Government.  
February 15, 2007, amended, reported — Do Pass.  
February 19, 2007, read second time, ordered engrossed. Engrossed.  
February 22, 2007, read third time, passed. Yeas 97, nays 0.

SENATE ACTION

March 5, 2007, read first time and referred to Committee on Local Government and Elections.  
March 15, 2007, reported favorably — Do Pass.

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EH 1434—LS 7775/DI 107+



March 16, 2007

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1434

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 5-2-11-5, AS AMENDED BY P.L.44-2006,  
2 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2007]: Sec. 5. (a) As used in this section, "commission"  
4 means the commission for a drug free Indiana established by  
5 IC 5-2-6-16.  
6 (b) Subject to subsections (c) and (d), a county fiscal body shall  
7 annually appropriate from the fund amounts allocated by the county  
8 legislative body for the use of persons, organizations, agencies, and  
9 political subdivisions to carry out recommended actions contained in  
10 a comprehensive drug free communities plan submitted by the local  
11 coordinating council and approved by the commission as follows:  
12 (1) For persons, organizations, agencies, and political  
13 subdivisions to provide prevention and education services, at least  
14 twenty-five percent (25%) of the money in the fund.  
15 (2) For persons, organizations, agencies, and political  
16 subdivisions to provide intervention and treatment services, at  
17 least twenty-five percent (25%) of the money in the fund.  
18 (3) For persons, organizations, agencies, and political

EH 1434—LS 7775/DI 107+



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subdivisions to provide criminal justice services and activities, at least twenty-five percent (25%) of the money in the fund.

(4) ~~A county fiscal body shall annually appropriate the remaining money in the fund allocated by the county legislative body to be used by persons, organizations, agencies, and political subdivisions~~ **A county fiscal body shall allocate the remaining twenty-five percent (25%) of the money in the fund to persons, organizations, agencies, and political subdivisions to provide services and activities under subdivisions (1) through (3) based on the comprehensive drug free communities plan submitted by the local coordinating council and approved by the commission.**

(c) In the comprehensive drug free communities plan, the local coordinating council shall determine the amount of funds the county fiscal body shall appropriate to implement the objectives approved in the comprehensive drug free communities plan.

(d) If the comprehensive drug free communities plan is not approved by the commission, the county fiscal body may not appropriate any funds at the request of the local coordinating council or any other local entity.

(e) If funds are allocated by a county legislative body under subsection (b) and the commission has not approved the comprehensive drug free communities plan for the county, the commission may:

- (1) approve and appoint a new local coordinating council for the county;
- (2) freeze funds allocated by the county legislative body; or
- (3) reevaluate the comprehensive drug free communities plan.

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## COMMITTEE REPORT

Mr. Speaker: Your committee on Local Government, to which was referred House Bill 1434, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause, begin a new paragraph and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1434 as introduced.)

SMITH V, Chair

Committee Vote: yeas 9, nays 0.

## COMMITTEE REPORT

Madam President: The Senate Committee on Local Government and Elections, to which was referred House Bill No. 1434, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1434 as printed February 16, 2007.)

LAWSON C, Chairperson

Committee Vote: Yeas 10, Nays 0.

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**Y**

